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10/722,347	11/25/2003	Osamu Azami	04995/129001	4741

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EXAMINER	
RUDOLPH, VINCENT M	

ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/722,347	AZAMI, OSAMU	
	Examiner	Art Unit	
	Vincent Rudolph	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 November 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4,5,7 and 8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,4,5,7 and 8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2 and 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kataoka ('165) in view of Beaudet ('795).

Regarding claim 1, Kataoka ('165) discloses a digital multiple function processing machine (**See Figure 1**) that includes an image data supply unit (scanner, **See Figure 1, Element 15**), an operation unit (control panel, **See Figure 1, Element 13**), and a printer (**See Figure 1, Element 16**), such that the image data supply unit can execute image data transmission image data transmission processing by generating and transmitting image data on an original set (the scanner scans images on a document for transmission, **See Col. 3, Line 43-46**), the operation unit enables a user to perform interrupt copy start command operation so that whenever it is performed, it transmits the interrupt copy start command information (user presses the interrupt key to start the process, **See Col. 4, Line 62-66**), and the printer can be connected to a computer (through the PC interface, **See Figure 1**) having a function of transmitting print job data (**See Col. 3, Line 10-12**), wherein the printer includes a print execution means (the device performs the function, thus it becomes the means) for forming an image on paper based on print data in a predetermined format (**See Col. 3, Line 46-49**), print

data storage means and reception means (the device performs the function, thus it becomes the means) for temporarily storing print data to be processed and receiving print job data representing printed matter of several pages from the connected computer (the image memory stores data supplied from the computer, **See Col. 4, Line 10-12**), print job data processing means (the device performs the function, thus it becomes the means) for generating the print data concerning the printed matter for each page and storing the print data in the print data storage means (receiving the print data from the computer, **See Col. 3, Line 57-59**, and storing it in the image memory, **See Col. 4, Line 10-11**), and copy control means (the device performs the function, thus it becomes the means) capable of executing copy control processing of causing the image data supply unit to start the image data transmission processing (operation unit is used to performs setting and instruct the jobs, **See Col. 3, Line 26-31**), storing the print data responsive to the image data transmitted as a result of the transmission processing (**See Col. 4, Line 10-14**), and causing the print execution means to print based on the print data (**See Col. 3, Line 46-49**). If the interrupt copy start command information is received while the print job data processing means operates, the copy control means causes the print job data processing means to interrupt the processing being executed and, as a result, starts processing of waiting for a storage for executing the copy control processing to be formed in the data storage means so that whenever available storage area is formed, the print data being generated is interrupted and the copy control processing starts (whenever the copy interrupt key is pressed, the image memory can have sufficient amount to store the incoming data in order to prevent overflowing of the

memory, **See Col. 6, Line 3-29**), such that a user is enabled to set a copy condition and transmit the information containing the copy condition information as the interrupt copy start command information (user is able to set various settings during the interruption for outputting the image data, **See Col. 3, Line 2-6**) and the copy control means of the printer calculates the capacity of the available storage area required for executing the copy control processing based on the copy condition information included within the interrupt start command information (the memory is analyzed to verify that there is sufficient room to execute the copy processing, **See Col. 5, Line 34-36**).

Kataoka ('165) does not disclose waiting for a sufficient available storage area prior to commencing the operation.

Beaudet ('795) discloses waiting for a sufficient available storage area prior to beginning the copying process (when the printer is in print mode and an interrupt button is pressed, it is determined when a sufficient memory is available for the scanned document in order to process the copy job, **See Col. 9, Line 61-Col. 10, Line 1**).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include determining when a sufficient storage is available, such as the one disclosed within Beaudet ('795), and incorporate it into the digital multiple function processing machine of Kataoka ('165) because it allows the data to be safely stored rather than deleting it if there is not an adequate amount of available storage space provided while interrupting the printing process.

Regarding claim 2, Kataoka ('165) discloses that the user is enabled to perform a print interrupt command as well as a copy start command operation as the interrupt

copy start command operation (user is able to select the type of interrupt to perform, **See Col. 3, Line 2-5**) so that whenever the user performs the print interrupt command operation, transmits print interrupt command information as the element information (**See Col. 6, Line 34-42**) and whenever the user performs the copy start command operation, transmits copy start command information as the element information (**See Col. 4, Line 62-67**). Whenever the print interrupt command information is received while the print job data processing means operates, the copy control means of the printer causes the print job data processing means to interrupt the processing being executed whenever the copy start command information is received after the print interrupt command information is received and, as a result, starts processing of waiting for a storage for executing the copy control processing to be formed in the data storage means so that whenever available storage area is formed, the print data being generated is interrupted and the copy control processing starts (if the copy interrupt key is pressed during printing, **See Figure 2; Col. 5, Line 61-64**, the process is interrupted and copying takes place, **See Col. 6, Line 7-9**, with the image memory having sufficient storage for the incoming data, **See Col. 6, Line 27-29**).

Kataoka ('165) does not disclose waiting for a sufficient available storage area prior to commencing the operation.

Beaudet ('795) discloses waiting for a sufficient available storage area prior to beginning the copying process (when the printer is in print mode and an interrupt button is pressed, it is determined when a sufficient memory is available for the scanned document in order to process the copy job, **See Col. 9, Line 61-Col. 10, Line 1**).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include determining when sufficient storage is available, such as the one disclosed within Beaudet ('795), and incorporate it into the digital multiple function processing machine of Kataoka ('165) because it allows the data to be safely stored rather than deleting it if there is not an adequate amount of available storage space provided while interrupting the printing process.

Regarding claims 4-5, the rationale provided in the rejection of claims 1-2 is incorporated herein. In addition, the digital multiple function processing machine of claims 1-2 corresponds to the printer of claims 4-5 and performs the steps disclosed herein.

Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kataoka ('165) in view of Beaudet ('795) as applied to claims 1 and 4, and further in view of Mishima ('056).

Regarding claim 7, Kataoka ('165) does not disclose that the printer calculates a required memory capacity based on copy description specification information, and the printer calculates a predicted time when the available memory capacity reaches the required memory capacity.

Mishima ('056) discloses that the printer calculates a required memory based on the copy description information (calculates the print data capacity and the required free memory currently available to register the data in order to have it processed to be printed, **See Col. 17, Line 35-43**) as well as calculate the predicted time when the

available memory capacity reaches the required memory capacity (displays the time and the amount of memory available after each job is completed, **See Figure 24**, in order to determine when the data is able to be registered and copied, **See Col. 17, Line 44-48**).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include calculating the memory capacity needed as well as when the memory reaches the required capacity, such as the one disclosed within Mishima ('056), and incorporate it into the digital multiple function processing machine of Kataoka ('165) because it allows the user to know whether the print data is able to be processed, and if not immediately, when it can be processed.

Regarding claim 8, the rationale provided in the rejection of claim 7 is incorporated herein. In addition, the digital multiple function processing machine of claim 7 corresponds to the printer of claim 8 and performs the steps disclosed herein.

Response to Arguments

Applicant argues that the prior art does not disclose calculating a capacity of the available storage area required for executing the copy control processing, since, according to the applicant, the prior art of Kataoka only discloses a determination whether the remaining capacity of the image memory is greater than a prescribed value to indicate there is sufficient space. Kataoka discloses having a user set a copy condition, such as setting various settings, during the interruption for outputting the image data (**See Col. 3, Line 2-6**). As a result, the memory is analyzed to determine whether there is sufficient room required to execute the copy processing (**See Col. 5,**

Line 34-36). Once it is determined the capacity is sufficient, the copy processing is executed (**See Col. 5, Line 35-36 and Line 2-3**). Thus, the prior art of Kataoka does meet the limitations of the claims as disclosed within the rejection above.

Regarding the newly added claims, the prior art of Mishima is used in combination with Kataoka and Beaudet and together does meet the limitations of the claims as disclosed within the rejection above.

Based on these facts, **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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